

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

VS.

4:06-CR-00239-WRW

STEVEN EARL BONDS

ORDER

Pending are Defendant's Motion to Modify Sentence (Doc. No. 30) and Motion for Hearing (Doc. No. 35). The Prosecution responded to both motions (Doc. Nos. 32, 36).

On February 20, 2007, Defendant pled guilty to possession of stolen mail. He was sentenced to 60 months in prison, 3 years supervised release, and \$22,825.24 in restitution.¹

Defendant asserts that his sentence should be reduced because he was denied participation in "the residential treatment program, that when completed could result in an additional 1 year off his sentence."² Defendant asks that this Court either order him to be transferred to another facility or reduce his sentence to 48 months "to compensate the loss of 1 year due to denial of [the] program."³

Where prisoners are housed, what programs are available to prisoners, and who is eligible to participate in programs are all matters of BOP discretion.⁴

Accordingly, Defendant's Motion to Modify Sentence (Doc. No. 30) and Motion for Hearing (Doc. No. 35) are DENIED.

IT IS SO ORDERED this 3rd day of April, 2008.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹Doc. Nos. 25, 28.

²Doc. No. 30.

³*Id.*

⁴See 18 U.S.C. § 3621.